

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

November 23, 2004

IN RE:

**PETITION OF TENNESSEE WASTEWATER
SYSTEMS, INC. TO EXPAND ITS SERVICE
AREA TO INCLUDE A PORTION OF SHELBY
COUNTY, TENNESSEE, KNOWN AS
COLLIERVILLE GARDENS**

**DOCKET NO.
04-00253**

ORDER DEFERRING PROCEEDINGS

This matter came before Chairman Pat Miller, Director Deborah Taylor Tate and Director Ron Jones of the Tennessee Regulatory Authority (the "Authority" or "TRA"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on October 11, 2004, for consideration of the *Petition of Tennessee Wastewater Systems, Inc. to Amend its Certificate of Convenience and Necessity* ("Petition"), filed by Tennessee Wastewater Systems, Inc. ("Tennessee Wastewater") on August 12, 2004. Tennessee Wastewater filed corrections to the *Petition* on August 13 and 16, 2004.

In its *Petition*, Tennessee Wastewater sought to expand its service area to include a portion of Shelby County known as Collierville Gardens. At a regularly scheduled Authority Conference held on September 13, 2004, the panel voted unanimously to appoint General Counsel or his designee to act as Hearing Officer in this matter for purposes of hearing preliminary matters and setting a procedural schedule to completion. On October 8, 2004, the Town of Collierville filed a letter stating its intention to intervene in the docket. The Town failed to satisfy TRA filing requirements, and the letter did not qualify as a petition to intervene.

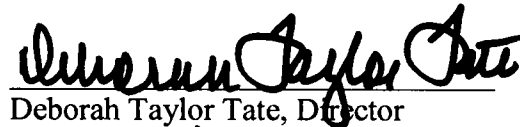
At a regularly scheduled Authority Conference held on October 11, 2004, the panel voted unanimously to defer consideration of the *Petition*. The panel further recommended that TRA staff contact the Town of Collierville and advise them about the requirements for proper intervention.

IT IS THEREFORE ORDERED THAT:

1. Further consideration of the *Petition of Tennessee Wastewater Systems, Inc. to Amend its Certificate of Convenience and Necessity* is deferred.
2. TRA staff will contact the Town of Collierville concerning the procedures and requirements for properly filing a petition to intervene.¹
3. The Hearing Officer previously appointed to this docket is directed to rule on any properly filed petition(s) for intervention, set a procedural schedule to completion, and prepare this docket for a hearing.



Pat Miller, Chairman



Deborah Taylor Tate, Director



Ron Jones, Director

¹ TRA staff contacted the Town of Collierville via letter dated October 25, 2004. The letter set forth filing requirements and included copies of applicable statutes and Authority Rules